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IN THE HIGH COURT OF DELHI AT NEW DELHI

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RSA 74/2021

**THE NEW FRIENDS COOPERATIVE HOUSING
SOCIETY LTD.**

..... Appellant

Through: Mr. S.C. Singhal, Advocate.
versus

**M/S. PANGASA EXPORTS THROUGH MRS. PREM
PANGASA & ANR.**

..... Respondents

Through: Mr. Sudhir Nandrajog, Sr. Adv. With
Mr. Vibhor Garg, Ms. Varuna Juneja
and Mr. Sidhant Bhatia, Advocates
for R-2.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **06.01.2022**

1. This hearing has been done through video conferencing.

REVIEW PET.193/2021 & CM APPL.42267/2021

2. Mr. Nandrajog, Ld. Senior Counsel appearing for the Respondent submits is that there is material suppression by Ld. Counsel for the Appellant. He mainly raises two pleas-

- i) Firstly, he submits that advance service in this matter was not properly effected. According to him, the advance copy of the appeal was served on the wrong email address, and without serving the advance copy properly and in accordance with the prescribed procedure of the Delhi High Court, the appeal was got listed and the interim order was obtained by the Appellant.
- ii) Secondly, he submits that the delay in filing the present appeal ought to not have been condoned as the facts stated in the



application for condonation of delay filed by the Appellant, are incorrect and contrary to the record.

3. In order for this Court to appreciate the submissions by Id. Senior Counsel for the Respondent, this Court would like to peruse the speed post receipts for service in this matter. Since the scanned copies of the same, which has been placed on record, is not clearly visible, let the original speed post receipts and the original paperbook be filed in the Registry by Mr. Singhal, Id. Counsel for the Appellant, within one week. Let the same be placed before this Court on the next date.
4. In future, Registry to ensure that the speed post receipts which are scanned and placed on record are readable, inasmuch as in this case since the speed post receipt is not readable and it is not clear as to the date on which the service was effected.
5. Parties to assist the Court as to whether any substantial questions of law arise in this matter or not, on the next date.
6. Id. Counsels for the parties are permitted to obtain an electronic copy of the lower court records from the Registry, upon request.
7. List on 17th February, 2022, the date already fixed.

PRATHIBA M. SINGH, J.

JANUARY 6, 2022/dk/Ad